

1907-019 Chancery Causes: Clinton Castle vs. Edna Castle
Lee Co.

Speaks, Thompson, Woodward

CA-Divorce

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of
Lee County Va.,

Humbly complaining your complainant, Clinton Castle, would respectfully represent and show unto your honor, that he on the ___ day of ___
18___ was married to one Edna Speaks, and lived with her a short
time when, she some how became dissatisfied, and willfully deserted
and abandoned your complainant and returned to her Father's house
and has ever since refused to live or co-habit with your complainant.

Your complainant alleges that he is a citizen of Lee County, Va.,
and has been for more than one year before the institution of this
suit, that he and his wife last cohabited in this County and State,
and that said willfull desertion and abandonment has continued for
more than three years before the bringing of this suit.

Your complainant alleges that he is entitled to a divorce
from the bonds of Matrimony.

The prayer of your complaninant is that Edna Castle be made a
party defendant to this bill and answer the same, but not on oath,
answer under, oath being waived, that on a hearing a divorce be
granted your complainant a vinculo Matrimonii, and your complainant
prays for all other and futher² relief generally that the nature of
his case may require and to equity seem meet and he will ever
pray ect.

M. G. Ely. p.q.

Clinton Coastle
vs. $\frac{1}{2}$ Bill in Chancery
Edna Coastle

Filed August 6, 1907.
H. C. I. Ewing,
Clerk.

1907 1st Sept Rules
Bill filed Spw. ex-
cluded
2nd Sept. Rules
" Cause set for hearing

Costs:
Clerk, \$3.80
Atty., 15.00
Shiff., 1.00
Tax, 1.50
Comm., 1.50
Wife, 1.40
\$24.20

Clinton Castle Puff -
against ~~the~~ In Chancery -

Edna Castle, Deft.

This cause came on this day to be heard upon the bill of complainant and depositions filed therewith and was argued by Counsel for Plaintiff! -

~~The~~ On consideration of which the court being of opinion that the allegations of Plaintiffs bill have been proven, it is adjudged, ordered and decreed, that the bonds of matrimony now existing between plaintiff and defendant be dissolved, and the plaintiff forever divorced a vinculo matrimonii from the defendant, and the plaintiff shall pay the costs of this suit - to be taxed by clerk for which execution may issue in favor of officers of the court, and this cause is stricken from the docket.

Clinton Costle Peffer

vs. $\frac{1}{2}$ Deere -

Edna - Costle

Entered in C.O.B.

8, page 348

Enter this

H. A. W. S. I. R. M.

Dec. 11th 1907 -

The depositions of F. H. Thompson

_____, taken at M. G. Ely's Law Office
in the town of Jonesville, Virginia on the 14th day of Sept. 1907,
between the hours of 6 a/m. and 6 p.m. pursuant to notice here-
with filed, which ~~take~~ depositions are intended to be read in ^{existence in} be-
half of Clinton Castle in a certain suit in Chancery pending in
the Circuit Court of Lee County, Virginia, in which he is plaintiff
and Edna Castle defendant.

No witness appearing the taking of these depositions
was adjourned until the 8th day of November, 1907, at the same
place, and between the same hours.

Met pursuant to adjournement Nov. 8th, 1907

Present.

Present: M. G. Ely, counsel
for plaintiff.

No one for defendant.

The said F. H. Thompson, a witness of lawful age being
duly sworn deposes and says:

Q. Please state your age, residence and occupation?

A. 20 years old, Lee Co. Va. near McClure's Chapel, farming.

Q. Are you acquainted with the parties to this suit? and if
so how long have you known them?

A. I am, and have known them nearly all my life, and lived in the
same neighborhood.

Q. State whether or not the defendant abandoned the plaintiff,
at any time after their marriage, and if so when, and how long after
their marriage?

A. She did abandon the plaintiff perhaps about three months
after their marriage. and left him in June 1904.

Q. Why did she abandon the plaintiff or what did she say about ^{it.}
it.

A. After they had lived together about three months and were
keeping house she said she would not live with him and she left
him and returned to her fathers, where she has since remained.

Q . State whether or not the defendant's abandonment of the plaintiff was wilful, and without sufficient cause so far as you know?

A. It was wilful and so far as I know without any sufficient cause.

Q. Have the parties to this suit live^d separately or ha^ve she failed to return to her said husband since she abandoned him?

A. They have lived separately, and she has never returned that I have any knowledge of.

Q. About how old were they when they married?

A. About twenty or twenty-one years old.

Q. Are the said parties to this suit residence of This County and State?

A. They are and have been ever since I have known them.

And further this deponent saith not.

F. M. Thompson

Witness's Claim.
attendance.
66cts.

E. S. Woodward, another witness of lawful ^{age} being duly sworn deposes and say:-

Q. Please state your age, residence and occupation.

A. I am 42 year old, live in the neighborhood of the parties to this suit, and have live there all my life and am a farmer.

Q. Are you acquainted with the parties to this suit, and if so, how long have you known them?

A. I am, and have known them all their lives.

Q. State whether or not the defendant abandoned the plaintiff and if so, when.

A. The defendant did abandon the plaintiff, and I think it was three years ago last Summer, she came to my house and said she had left him, and asked if she might stay there until she could get her a home.

I told her she could stay awhile but I advised her to go to her parents, and in a few days her mother came and got her and took her home, with her. And she has remained there ever since. And has not returned to her husband.

Q. State whether or not her abandonment was wilful and without cause?

A. It was wilful and without cause so far as I know. Her husband is industrious, and I think could and would have provided for her if she had remained with him.

And further this deponent saith not.

E. S. Woodward

Attended. 74cts.

The foregoing depositions of F. H. Thompson and E. S. Woodward were taken, subscribed and sworn to before me at the time and place and for the purposes in the caption mentioned.

Given under my hand Nov. 8th, 1907

James W. Orr, Clerk in Charge
for Lee County Circuit Court

Court's fee \$1.50 paid.

Clinton Castle

vs Defad

³⁰
Cedua Castle

Filed Nov. 11, 1907-

H. S. Ewing, Clerk.

To Edna Coastle.

Take notice that I shall, on the 14th day of Sept. 1907.
at M. H. Ely's Law office in the town of Jonesville
Va.

between the hours of 6 A. M. and 6 P. M., on that day, proceed to take the depositions
of Clinton Coastle and others, to be read in evidence in my behalf,
in a certain Suit depending in the Circuit court for the County
of Lee wherein you are Defendant
and I am Plaintiff.

and if from any cause, the taking of the said depositions be not commenced on that day, or if
commenced, be not concluded on that day, the taking of the same will be adjourned and con-
tinued from day to day, or from time to time, at the same place and between the same hours,
until the same shall be completed. Very respectfully,

Clinton Coastle,
By counsel

Clinton Castle -

US.

}

NOTICE TO TAKE
DEPOSITIONS.

Edna Castle,

14th - Sept. 1907.

M. G. Ely,

p. q.

Executed by DeLaney
a true copy of the
within notice to
Edna Castle this Sept
10, 1907 C. C. Phillips D. C.
for Post. B. & C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Edna Castle*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *1st* Monday in *Sept.*, 190*7*, to answer a bill in chancery exhibited against *her*
by Colinton Castle,

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *17th*
day of *August*, 190*7*, and 1*32* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Clinton Castle

VS

SUBPOENA
IN
CHANCERY

Edna Castle

M. G. Ely

p. q.

To

1st Sept

Rules

Circuit

Court

Executed by delivering a
true copy of the within
subpoena to Edna
Castle this Aug 27, 1909.
C. C. Phelps D & Fa
Pm Ball & LC